



**10/523191**  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Shinji IIJIMA et al.

Group Art Unit: unknown

Application No: 10/523,191

Examiner: unknown

Filed: January 25, 2005 (IFD: August 11, 2003)

Docket No: 12218/46

For: METHOD OF EXPRESSING GENE IN TRANSGENIC BIRDS USING RETROVIRUS VECTOR AND TRANSGENIC BIRDS THUS OBTAINED

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22304

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08a. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. PTO/SB/08a, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application and before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.

The relevance of the non-English language reference 5 is discussed in the present specification.

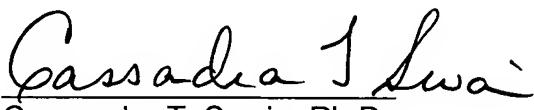
References 1-4 and 6-9 were cited in the ISR in the counterpart international application PCT/JP02/10198. For the Examiner's information, an English language version of the PCT search report dated October 14, 2003 was included with the application filing papers submitted on filing on January 25, 2005 and in the copy of the application as communicated by the International Bureau.

English-language Abstracts of the non-English language references 3-5 and a summarized translation of reference 6 are attached hereto.

Since this application was filed after June 30, 2003, a copy of the U.S. reference 1 is not included.

Respectfully submitted,  
KENYON & KENYON

Date: April 25, 2005

  
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	10/523,191
				Filing Date	January 25, 2005 (IFD: 08/11/03)
				First Named Inventor	Shinji IIJIMA
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	1	Attorney Docket Number	12218/46

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
1	US-2005/0022260 A1		01/27/2005	Iijima et al.	
	US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
2	EP 0424044 A1		04/24/1991	Merck & Co. Inc.		
3	WO 97/03555 A1		02/06/1997	Hoechst Japan et al.		Abs.
4	WO 02/47475 A1		06/20/2002	Kaneka Corporation		Abs.
5	JP 2002-176880 A		06/25/2002	Kanegafuchi Chem Ind Co Ltd		Abs.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	6	ONO, et al., "Transgenic Uzura in Okeru Sonyu Idenshi no Genome Kaiseki," The Society of Chemical Engineers, Japan Shuki Taikai Kenkyu Happyo Koen Yoshishu, 08/31/2001. p. 415, vol. 34.	Summary
	7	MIZUARAI, Shinji et al., "Production of Transgenic Quails with High Frequency of Germ-Line Transmission Using VSV-G Pseudotyped Retroviral Vector", Biochemical and Biophysical Research Communications, 2001, pp. 456-463, vol. 286.	
	8	POWERS, David B. et al., "Expression of single-chain Fv-Fc fusions in <i>Pichia pastoris</i> ," Journal of Immunological Methods, 2001, pp. 123-135, vol. 251.	
	9	HARVEY, A. J. et al., "Consistent Production of Transgenic Chickens using Replication-Deficient Retroviral Vectors and High-Throughput Screening Procedures," Poultry Science, 02/2002, pp. 202-212, vol. 81, no. 2.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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